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### REMARKS

Claims 1 and 11 have been amended without adding new matter in order to correct minor informalities and to address other issues raised by the Examiner. Twenty (20) claims remain pending in the application: Claims 1-20. Reconsideration of claims 1-20 in view of the amendments above and remarks below is respectfully requested.

By way of this amendment, Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned at (858) 552-1311 so that such issues may be resolved as expeditiously as possible.

### Claim Objections

1. Claim 1 stands objected to because of informalities. Applicants have amended claim 1 to replace "a show" with --data-- as suggested by the Examiner. Therefore, Applicants believe the objection has been overcome and respectfully request that the objection be withdrawn.

### Claim Rejections - 35 U.S.C. §102

2. Claims 1, 6, 11, and 14 stand rejected under 35 U.S.C. § 102(b), as being anticipated by U.S. Patent No. 5,798,785 (Hendricks). Applicants submit, however, that amended claim 1 and independent claim 11 are not anticipated by the Hendricks patent. More specifically, claim 1 for example recites in part:

receiving programming data associated with the channel;  
displaying a show associated with the channel;  
displaying a menu associated with storing of the channel in memory;  
selecting to load the programming data of the channel associated with the show currently being displayed into memory of the entertainment system; and  
loading the programming data associated with the channel currently being displayed into the memory.

As such, amended claim 1 provides, in part, for the loading into the memory of programming data associated with the channel of the show currently being displayed. The Hendricks patent

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fails to teach or suggest loading programming data associated with the channel of the show currently being displayed. Alternatively, the Hendricks patent specifically teaches away from loading programming data associated with the show currently being displayed.

The Hendricks patent describes generating a favorites list at columns 33-34 with reference to FIGS. 12a and 12b. In the description of the Hendricks patent, the program currently being shown is irrelevant when generating the favorites list as described. The Hendricks patent instead specifically requires the user to access menus, where the "menus can be used to query a subscriber and allow the subscriber to select eight favorite channels for later display." (Hendricks, Col. 33, lines 17-19). Therefore, the Hendricks patent specifically requires the subscriber to designate favorite channels independent of the program that is currently being displayed. This directly teaches away from the method as recited in amended claim 1, where the program data directly associated with the channel of the show being displayed is loaded into memory. Therefore, the Hendricks patent does not teach each element of claim 1 and further teaches away from amended claim 1, and thus claim 1 is not anticipated in view of the Hendricks patent.

The Examiner further rejected claim 11 as anticipated by the Hendricks patent. Applicants respectfully submit, however, that the Hendricks patent fails to teach each element of the system as recited in amended claim 11, and thus claim 11 is not anticipated by the Hendricks patent. More specifically, amended claim 11 recites in part

a display monitor; and  
a broadcast receiver coupled to the display monitor, the broadcast receiver including a front-end unit capable of receiving programming data associated with a show broadcast for viewing on the display monitor, a memory, and a central processing unit coupled to the memory, the central processing unit coupled to receive programming data associated with a broadcast channel, the central processing unit to execute software to load programming data associated with the channel currently being displayed into the memory.

Claim 11 provides an entertainment system that comprises a central processing unit (CPU) that receives programming data associated with the broadcast channel currently being displayed. The Hendricks patent teaches away from loading programming data associated with the channel

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currently being displayed. Further, the Hendricks patent does not show a CPU that receives programming data. Further, the Hendricks patent fails to teach or suggest a CPU that receives programming data and that loads programming data associated with the channel being displayed into the memory.

Alternatively, the Hendricks patent specifically describes and shows that programming data is passed from the decryptor 600 to the demultiplexer 616 and audio decompressor 612. The programming data is not forwarded to the microprocessor 602, but is instead forwarded to the demultiplexer 616. Specifically, the Hendricks patent describes "[t]he program control information signal may be demultiplexed into its component parts, and a video decompressor 618, graphic decompressor, text generator and video combiner 624 may be used to assist in creating the menus." (Hendricks, col. 13, lines 51-55). As such, the processor 602 does not receive the programming data, and thus the Hendricks patent fails to teach each element as recited in claim 11.

Additionally, the Hendricks patent fails to teach or suggest CPU that receives programming data and that loads programming data associated with the channel being displayed into the memory. As described above with reference to claim 1, the Hendricks patent specifically requires the subscriber to designate favorite channels independent of the program that is currently being displayed. This directly teaches away from the method as recited in amended claim 11. Therefore, the Hendricks patent does not teach each element of claim 11 and further teaches away from amended claim 11.

Claims 6 and 14 depend from amended claims 1 and 11, respectively. These claims are also not anticipated by the Hendricks patent for at least the reasons provided above.

#### Claim Rejections - 35 U.S.C. §103

3. Claims 2-5 stand rejected under 35 U.S.C. §103(a), as being unpatentable over Hendricks in view of U.S. Patent No. 5,477,262 (Banker et al.). Applicants respectfully submit, however, that the combination of the Hendricks and Banker patents fail to teach or suggest the method of amended claim 1 and instead teaches away from the method of claim 1.

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As discussed above, amended claim 1 recites in part, "loading the programming data associated with the channel currently being displayed into the memory." The Hendricks patent teaches away from loading programming data associated with the show currently being displayed. Therefore, the combination of the Hendricks and Banker patents fail to teach or make obvious claim 1, and instead teach away from the method as recited in claim 1 as well as claims 2-5 that depend from claim 1.

4. Claims 7, 9, 10, 12, and 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Hendricks patent in view of the Banker patent and in further view of U.S. Patent No. 5,805,235 (Bedard). Applicants respectfully submit, however, that the combination of references fail to teach the methods and systems as claimed, and further, one skilled in the art would not combine the references. Again, the Hendricks patent teaches away from loading programming data associated with the show currently being displayed. The combination of reference further thus teach away from the methods as recited in claims 7, 9, 10, 12 and 13.

Further, one skilled in the art would not combine the applied references. The Banker patent and the Bedard patent teach alternate methods for generating lists. These methods are contradictory to each other. Combining these methods would make them inoperable for their intended purpose, or would result in two separate list generators that do not teach the embodiments as claimed. One skilled in the art would not combine these references to provide two alternate list generating methods.

Additionally, only through the benefit of hindsight would one skilled in the art appreciate the benefits achieved through the subject application. The Bedard and Banker patents teach alternative methods for generating lists, and only through the benefit of knowledge provided by the subject application would one skilled in the art appreciate the benefits that can be achieved by loading into memory programming data associated with the channel of the show currently being displayed, or providing a system that provides a CPU to execute software to load programming data associated with the channel currently being displayed into the memory as

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recited in claim 11. Therefore, claims 1 and 11 are not anticipated by the combination of the Hendricks, Banker and Bedard patents, and claims 7, 9, 10, 12 and 13 are also not obvious over the Hendricks, Banker and Bedard patents for at least the reasons provided above for claims 1 and 11.

5. Claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Hendricks, Banker, Bedard patents in view of U.S. Patent No. 5,917,481 (Rzeszewski et al.). Applicants respectfully submit that the Hendricks patent teaches away from the method of claim 1. Applicants further respectfully submit that the Rzeszewski patent also fails to teach or suggest the loading of programming data associated with the channel of the show currently being displayed as recited in amended claim 1. It has been demonstrated above that the combination of the Hendricks, Banker and Bedard patents fail to teach or make obvious amended claim 1. The addition of the Rzeszewski patent to this combination still fails to teach or make the amended claim 1 obvious. Therefore, Applicants submit that claim 8 is not obvious over the cited combination.

6. Claim 15 stands rejected under 35 U.S.C. §103(a) as being unpatentable over the Hendricks patent in view of U.S. Patent No. 6,078,348 (Usui et al.). Applicants again points out that the Hendricks patent teaches away from the system of claim 11. The Usui patent also fails to teach or suggest a "central processing unit coupled to receive programming data associated with a broadcast channel, or the central processing unit to execute software to load programming data associated with the channel currently being displayed into the memory" as recited in amended claim 11.

Alternatively, the Usui reference specifically teaches away from the system of claim 11. Specifically, the Usui reference describes that the data programming is not forwarded to the CPU. Instead, the Usui reference specifically describes that information on the programs is forwarded to an EPG area 35A of a buffer memory 35. More specifically, the Usui reference states that "the demultiplexer 24 also takes in other information such as EPG data besides the

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MPEG video and audio data supplied by the front-end unit 20. The information is supplied to an EPG area 35A of the data buffer memory unit 35 .... The EPG information includes information on programs of broadcasting channels ... Pieces of such information are a program channel, a transponder number, a broadcasting time, a title, a category, film stars performing in a program and others...." (Usui, col. 5, lines 41-53). Therefore, the Hendricks and Usui references fail to teach or make obvious the embodiments as claimed, and instead teach away from the system as recited in claims 11 and 15.

7. Claim 16 stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,798,785 (Hendricks) as applied to Claim 11, and further in view of U.S. Patent No. 5,477,262 (Banker et al.), and further in view of U.S. Patent No. 5,805,235 (Bedard). However, as discussed above, the Hendricks patent teaches away from the system as claimed. Further, the Hendricks and Banker patents fail to teach or make obvious claim 11 because these references fail to teach at least that a CPU that receives programming data. The Bedard reference also fails to teach or suggest a CPU that receives programming data. Therefore, the combination of the Hendricks, Banker and Bedard references fail to teach or make obvious the embodiment of claim 16.

Further, as discussed above, one skilled in the art would not combine the Hendricks, Banker and Bedard reference for at least the reason that the Banker and Bedard references provide contradictory list generating processes, and to combine these processes would make both inoperable for their intended purpose. Therefore, one skilled in the art would not combine the applied references.

Still further, only through hindsight would one appreciate the benefits achieved through the subject application. The Banker and Bedard patents teach alternative methods for generating lists, and only through the benefit of the knowledge provided by the subject application would one skilled in the art appreciate the benefits that can be achieved by the claimed embodiments. Therefore, the applied references fail to make obvious the system of claim 16.

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8. Claim 17 stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,798,785 (Hendricks) as applied to Claim 11, and further in view of U.S. Patent No. 5,477,262 (Banker et al.), and further in view of U.S. Patent No. 5,805,235 (Bedard) as applied to Claim 16, and further in view of U.S. Patent No. 6,545,722 (Schultheiss et al.). However, as indicated above, the applied references fail to make claim 11 obvious, and thus claim 17 is also not obvious over the applied references. Further, one skilled in the art would not combine the references as the combination would make the devices of the references inoperable for their intended purpose. Still further, only through hindsight would one appreciate the invention as claimed. Therefore, the combined references do not make the system of claim 17 obvious.

9. Claims 18 and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,798,785 (Hendricks) as applied to Claim 11, and further in view of U.S. Patent No. 5,477,262 (Banker et al.), and further in view of U.S. Patent No. 5,805,235 (Bedard), and further in view of U.S. Patent No. 6,545,722 (Schultheiss et al.), and further in view of U.S. Patent No. 6,002,394 (Schein et al.). However, as discussed above, the applied references fail to make claim 11 obvious, and instead teach away from the system of claim 11. Therefore, the combined references fail to make claims 18 and 19 obvious for at least the reasons provided above.

10. Claim 20 stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,798,785 (Hendricks), and further in view of U.S. Patent No. 5,477,262 (Banker et al.), and further in view of U.S. Patent No. 5,805,235 (Bedard), as applied to Claim 16, and further in view of U.S. Patent No. 6,002,394 (Schein et al.). However, as discussed above, the applied references do not make claim 11 or claim 16 obvious, and alternatively teach away from the system of claim 11. Therefore, claim 20 is also not obvious over the applied references for at least the reasons provided above.

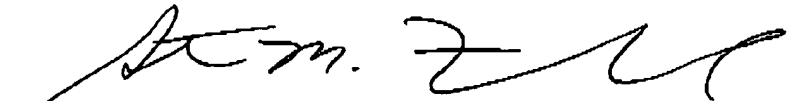
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**CONCLUSION**

Applicants submit that the above amendments and remarks place the pending claims in a condition for allowance. Therefore, a Notice of Allowance is respectfully requested.

Respectfully submitted,

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